

# Exhibit I

16 messages

**JOHN JACKSON <JOHNJ@rae-corp.com>**  
To: JIM TEMPLE <jim@dntenter.com>  
Cc: ADAM MEYER <ADAMM@rae-corp.com>

**Mon, Oct 29, 2007 at 11:16 AM**

Jim,

Attached are the unit drawings for NYU 838 BROADWAY. As soon as you give us the go ahead on the unit drawing, we will start releasing steel and sheet metal to be cut. ~~We will bolt them into the [redacted] footprint, which will help decrease the production time.~~ We still have a few minor things to go on the electrical and piping. Let me know if you have any questions, I will get the rest of the drawings to you asap.

Thanks,

John Jackson

Technical Systems

(918) 825-7222

**2 attachments**

 **89541u1.pdf**  
230K

 **89541u2.pdf**  
231K

---

**ADAM MEYER <ADAMM@rae-corp.com>****Mon, Oct 29, 2007 at 11:22 AM**

To: JOHN JACKSON <JOHNJ@rae-corp.com>, JIM TEMPLE <jim@dntenter.com>

Jim,

[http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A\(adamm%40ra...](http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A(adamm%40ra...) 3/13/2008

Thanks,

Adam Meyer

Account Manager - RAE Corporation

Desk: (918) 825-7222

Cell: (918) 384-9602

**From:** JOHN JACKSON  
**Sent:** Monday, October 29, 2007 10:16 AM  
**To:** 'JIM TEMPLE'  
**Cc:** ADAM MEYER  
**Subject:** TSI PR89541 NYU 838 BROADWAY

[Quoted text hidden]

JIM TEMPLE <jim@dntenter.com>  
To: JOHN JACKSON <JOHNJ@rae-corp.com>  
Cc: ADAM MEYER <ADAMM@rae-corp.com>

Mon, Oct 29, 2007 at 12:07 PM

why after waiting a month for shop drawings you make drastic changes in the dimensions and don't even have the discharge/intake locations in the correct place.

[Quoted text hidden]

JIM TEMPLE <jim@dntenter.com>  
To: JOHN JACKSON <JOHNJ@rae-corp.com>  
Cc: ADAM MEYER <ADAMM@rae-corp.com>

Mon, Oct 29, 2007 at 12:08 PM

[Quoted text hidden]

 KMBT25020071029105818.pdf  
197K

JOHN JACKSON <JOHNJ@rae-corp.com>  
To: JIM TEMPLE <jim@dntenter.com>  
Cc: ADAM MEYER <ADAMM@rae-corp.com>

Mon, Oct 29, 2007 at 12:44 PM

Jim,

[http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A\(adamm%40ra...](http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A(adamm%40ra...) 3/13/2008

John

---

**From:** jjtemple@gmail.com [mailto:jjtemple@gmail.com] **On Behalf Of** JIM TEMPLE  
**Sent:** Monday, October 29, 2007 11:07 AM  
**To:** JOHN JACKSON  
**Cc:** ADAM MEYER  
**Subject:** Re: TSI PR89541 NYU 838 BROADWAY

[Quoted text hidden]

 **89541u2.pdf**  
172K

**JIM TEMPLE <jim@dntenter.com>**  
To: JOHN JACKSON <JOHNJ@rae-corp.com>

Fri, Nov 9, 2007 at 6:16 PM

john,

could i get the uni drawings as autocad files.

jim

[Quoted text hidden]

**JOHN JACKSON <JOHNJ@rae-corp.com>**  
To: JIM TEMPLE <jim@dntenter.com>

Fri, Nov 9, 2007 at 6:19 PM

Jim,

See attached.

Thanks,  
John

john,

could i get the unti drawings as autocad files.

jim

On Oct 29, 2007 11:44 AM, JOHN JACKSON <[JOHNJ@rae-corp.com](mailto:JOHNJ@rae-corp.com)> wrote:

Jim,

We got too focused on making sure everything was going to fit. Attached is the corrected drawing.

John

**From:** jjtemple@gmail.com [mailto:[jjtemple@gmail.com](mailto:jjtemple@gmail.com)] **On Behalf Of** JIM TEMPLE  
**Sent:** Monday, October 29, 2007 11:07 AM  
**To:** JOHN JACKSON  
**Cc:** ADAM MEYER  
**Subject:** Re: TSI PR89541 NYU 838 BROADWAY

why after waiting a month for shop drawings you make drastic changes in the dimensions and don't even have the discharge/intake locations in the correct place.

On 10/29/07, JOHN JACKSON <[JOHNJ@rae-corp.com](mailto:JOHNJ@rae-corp.com)> wrote:

[http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A\(adamm%40ra...](http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A(adamm%40ra...) 3/13/2008

Jim,

Attached are the unit drawings for NYU 838 BROADWAY. As soon as you give us the go ahead on the unit drawing, we will start releasing steel and sheet metal to be cut. ~~We made both units the same footprint, which will help decrease the production time.~~ We still have a few minor things to go on the electrical and piping. Let me know if you have any questions, I will get the rest of the drawings to you asap.

Thanks,

John Jackson

Technical Systems

(918) 825-7222

**2 attachments**

**89541u1.dwg**  
516K

**89541u2.dwg**  
515K

**JIM TEMPLE <jim@dntenter.com>**

To: "kwilliams@structuretone.com" <kwilliams@structuretone.com>

**Fri, Nov 9, 2007 at 6:37 PM**

here are the auto cad unit drawings the complete set is coming ASAP

**2 attachments**

**89541u1.dwg**

[http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A\(adamm%40ra...](http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A(adamm%40ra...) 3/13/2008

[redacted] Team, please see AS-BUILTS for the 89541 A/C unit. Please advise if  
you have any questions. TIA.

Kameron Williams  
(Superintendent)  
Structuretone  
770 Broadway  
NY, NY 10003  
Cell (917) 584-4406  
Fax (212) 991-0283  
----- Forwarded by Kameron Williams/STI on 11/13/2007 08:05 AM -----

To  
"JIM TEMPLE" "kwilliams@structuretone.com"  
<jim@dntenter.com> <kwilliams@structuretone.com>  
> cc  
Sent by:  
jjtemple@gmail.co Subject  
m Fwd: TSI PR89541 NYU 838 BROADWAY

11/09/2007 05:37  
PM

here are the auto cad unit drawings the complete set is coming ASAP(See  
attached file: 89541u1.dwg)(See attached file: 89541u2.dwg)

**2 attachments**

**89541u1.dwg**

[http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A\(adamm%40ra...](http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A(adamm%40ra...) 3/13/2008

To: "kwilliams@structuretone.com" <kwilliams@structuretone.com>  
Cc: frank\_aviles@gensler.com, patrick\_mcdonough@gensler.com, emccune@fmccassociates.com,  
bfornci@fmccassociates.com, kshook@ceramiassociates.com, DRogers@structuretone.com

attached are the complete package as built drawings including wiring

no changes, just more detail

[Quoted text hidden]

 89541 Submittal 11-16-07.pdf  
3729K

DRogers@structuretone.com <DRogers@structuretone.com>  
To: JIM TEMPLE <jim@dntenter.com>

Tue, Nov 20, 2007 at 6:47 PM

Thank you.  
Dawn H. Rogers  
Structuretone  
Mobile 917.671.7369  
Office 212.251.9463  
Fax. 212.894.3595

[Quoted text hidden]

JIM TEMPLE <jim@dntenter.com>  
To: KPENDER@intersmech.com

Mon, Dec 3, 2007 at 2:59 PM

----- Forwarded message -----

From: JIM TEMPLE <jim@dntenter.com>

[Quoted text hidden]

[Quoted text hidden]

 89541 Submittal 11-16-07.pdf  
3729K

Mail Delivery Subsystem <mailer-daemon@googlemail.com>  
To: jjtemple@gmail.com

Mon, Dec 3, 2007 at 2:59 PM

This is an automatically generated Delivery Status Notification

Delivery to the following recipient failed permanently:

exist

Received: by 10.100.240.18 with SMTP id n18mr5987472anh.1196708362744; Mon, 03 Dec 2007 10:59:22 -0800 (PST)  
Received: by 10.90.83.16 with HTTP; Mon, 3 Dec 2007 10:59:21 -0800 (PST)  
Message-ID: <af8bab3e0712031059s7f9e1599yc01fcc9642b9fe86@mail.gmail.com>  
Date: Mon, 3 Dec 2007 13:59:21 -0500  
From: "JIM TEMPLE" <jim@dntenter.com>  
Sender: jjtemple@gmail.com  
To: KPENDER@INTERSMECH.COM  
Subject: Fwd: Fw: TSI PR89541 NYU 838 BROADWAY  
In-Reply-To: <af8bab3e0711201445w6d099bd9k9171d7d7ec2d0a30@mail.gmail.com>  
MIME-Version: 1.0  
Content-Type: multipart/mixed;  
boundary="----\_Part\_16475\_28746316.1196708362345"  
References: <OF4AF829FA.A19E9F53-ON85257392.0047E9DB-85257392.00481C9E@structuretone.com>  
<af8bab3e0711201445w6d099bd9k9171d7d7ec2d0a30@mail.gmail.com>  
X-Google-Sender-Auth: ea93db7298d012d2

===== Part\_16475\_28746316.1196708362345  
Content-Type: multipart/alternative;  
boundary="----\_Part\_16476\_14401423.1196708362345"

===== Part\_16476\_14401423.1196708362345  
Content-Type: text/plain; charset=ISO-8859-1  
Content-Transfer-Encoding: 7bit  
Content-Disposition: inline

----- Forwarded message -----

----- Message truncated -----

**JIM TEMPLE <jim@dntenter.com>**  
To: Keri Pinder <kpinder@intersmech.com>

**Mon, Dec 3, 2007 at 3:00 PM**

----- Forwarded message -----  
From: **JIM TEMPLE <jim@dntenter.com>**  
Date: Nov 20, 2007 5:45 PM  
Subject: Re: Fw: TSI PR89541 NYU 838 BROADWAY  
To: "kwilliams@structuretone.com" <kwilliams@structuretone.com>  
Cc: [frank\\_aviles@gensler.com](mailto:frank_aviles@gensler.com), [patrick\\_mcdonough@gensler.com](mailto:patrick_mcdonough@gensler.com), [emccune@fmccassociates.com](mailto:emccune@fmccassociates.com), [bifornaci@fmccassociates.com](mailto:bifornaci@fmccassociates.com), [kshook@ceramiassociates.com](mailto:kshook@ceramiassociates.com), [DRogers@structuretone.com](mailto:DRogers@structuretone.com)

[Quoted text hidden]

 **89541 Submittal 11-16-07.pdf**  
3729K

----- Forwarded message ----- Case 1:07-cv-08861-LLS Document 14-4 Filed 04/01/2008 Page 10 of 25  
From: [JIM TEMPLE <jim@dntenter.com>](mailto:jim@dntenter.com)  
Date: Nov 20, 2007 5:45 PM  
Subject: Re: Fw: TSI PR89541 NYU 838 BROADWAY  
To: "kwilliams@structuretone.com" <kwilliams@structuretone.com>  
Cc: [frank\\_aviles@gensler.com](mailto:frank_aviles@gensler.com), [patrick\\_mcdonough@gensler.com](mailto:patrick_mcdonough@gensler.com), [emccune@fmccassociates.com](mailto:emccune@fmccassociates.com), [bifornaci@fmccassociates.com](mailto:bifornaci@fmccassociates.com), [kshook@ceramiassociates.com](mailto:kshook@ceramiassociates.com), DRogers@structuretone.com

[Quoted text hidden]

---

 **89541 Submittal 11-16-07.pdf**  
3729K

---

**JIM TEMPLE <jim@dntenter.com>**  
To: John Nardine <jnardine@mariettacontrols.com>

**Wed, Dec 19, 2007 at 2:51 PM**

the 12x12 area is in the control panel for your use  
[Quoted text hidden]

[http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A\(adamm%40ra...](http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A(adamm%40ra...) 3/13/2008

**JOHN JACKSON <JOHNJ@rae-corp.com>**  
To: JIM TEMPLE <jim@dntenter.com>

**Tue, Oct 30, 2007 at 12:05 PM**

Jim,

I just wanted to touch bases with you on the AHU drawings. Manufacturing is ready to go as soon as you approve. Let me know if you need anything.

Thanks,  
John Jackson

TSI

**JIM TEMPLE <jim@dntenter.com>**  
To: JOHN JACKSON <JOHNJ@rae-corp.com>

**Tue, Oct 30, 2007 at 12:07 PM**

where are the rest of the drawings?

[Quoted text hidden]

**JOHN JACKSON <JOHNJ@rae-corp.com>**  
To: JIM TEMPLE <jim@dntenter.com>

**Tue, Oct 30, 2007 at 12:14 PM**

I've got a short list of revisions being made. I will check on them. Right now, the approval of [REDACTED] [REDACTED] is imperative to keeping on schedule. Releasing the [REDACTED] [REDACTED] is critical as to preventing delays in the ship date.

John Jackson

TSI

**From:** jjtemple@gmail.com [mailto:jjtemple@gmail.com] **On Behalf Of** JIM TEMPLE  
**Sent:** Tuesday, October 30, 2007 11:08 AM  
**To:** JOHN JACKSON  
**Subject:** Re: TSI PR89541

[Quoted text hidden]

JIM TEMPLE <jim@dntenter.com>

Tue, Oct 30, 2007 at 12:17 PM

To: JOHN JACKSON <JOHNJ@rae-corp.com>, ADAM MEYER <ADAMM@rae-corp.com>

this is extremely unfair. the ship date of 11-26 has always been critical; you guys change the dimensions by [REDACTED], 4 weeks after release, and need an answer immediately or the order is late and our fault.

very bad business.

[Quoted text hidden]

ADAM MEYER <ADAMM@rae-corp.com>

Tue, Oct 30, 2007 at 12:48 PM

To: JIM TEMPLE <jim@dntenter.com>, JOHN JACKSON <JOHNJ@rae-corp.com>

Jim,

Just FYI, the date of December 4<sup>th</sup> is due to the blower delivery times, not the approval time for the drawings.

I understand your frustration and agree with most of it. Let us know what you find out. Have you heard back from the engineer about [REDACTED]?

Adam

**From:** jjtemple@gmail.com [mailto:jjtemple@gmail.com] **On Behalf Of** JIM TEMPLE  
**Sent:** Tuesday, October 30, 2007 11:18 AM  
**To:** JOHN JACKSON; ADAM MEYER  
**Subject:** Re: TSI PR89541

[http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A\(adamm%40ra...](http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A(adamm%40ra...) 3/13/2008

so that's it, you have given up on getting the unit out on time.

when is the blower coming in?

[Quoted text hidden]

**JIM TEMPLE <jim@dntenter.com>**

To: JERRY SALCHER JR <JERRYJR@rae-corp.com>

Tue, Oct 30, 2007 at 1:29 PM

jerry,

we got this job based on making the 11-26 date or at least making every effort to make the date. do you know anything about this issue? we can't give up before we even started.

jim

[Quoted text hidden]

[Quoted text hidden]

**JOHN JACKSON <JOHNJ@rae-corp.com>**

To: JIM TEMPLE <jim@dntenter.com>

Cc: ADAM MEYER <ADAMM@rae-corp.com>

Tue, Oct 30, 2007 at 2:07 PM

Jim,

All of the [REDACTED] are scheduled to ship 11/17. They were among the first items ordered due to their long lead time. We are working with the manufacturer to improve this date. The [REDACTED] are scheduled ship 11/20, but we have talked to management [REDACTED] and they are doing what they can to improve their dates as well. I apologize for rushing you on approval, but we are anxious to do whatever we can to build these [REDACTED] as soon as possible. I hope to have the remainder of the drawing for you in the next hour. I just spoke with the guys they agree with the changes and are working as quickly as they can.

Thanks,  
John Jackson

TSI

[Quoted text hidden]

**JIM TEMPLE <jim@ntenter.com>**

To: JOHN JACKSON <JOHNJ@rae-corp.com>

Tue, Oct 30, 2007 at 3:12 PM

the [REDACTED] were added late and we are justified to put that on the customer if it is a problem. we can give them the choice of waiting for the unit or shipping loose at that time. [REDACTED] is an issue but it is an independant section from the unit and we should get the rest built before it arrives.

[Quoted text hidden]

---

**JOHN JACKSON <JOHNJ@rae-corp.com>**

To: JIM TEMPLE <jim@ntenter.com>

Cc: ADAM MEYER <ADAMM@rae-corp.com>

Tue, Oct 30, 2007 at 3:33 PM

Jim,

Attached is a PDF with all drawings included.

Thanks,  
John Jackson

TSI

**From:** jjtemple@gmail.com [mailto:[jjtemple@gmail.com](mailto:jjtemple@gmail.com)] **On Behalf Of** JIM TEMPLE  
**Sent:** Tuesday, October 30, 2007 2:12 PM

[Quoted text hidden]

[Quoted text hidden]

 **89541 Drawings 10-30-07.pdf**  
1796K

**JERRY SALCHER JR <JERRYJR@rae-corp.com>**

To: JIM TEMPLE <jim@ntenter.com>

Cc: ADAM MEYER <ADAMM@rae-corp.com>, JOHN JACKSON <JOHNJ@rae-corp.com>

Tue, Oct 30, 2007 at 4:33 PM

In addition, the 12/4 date is in jeopardy due to the hold up on the release from engineering. I do not know the details of dimension changes, but I do know I am losing critical production time that cannot be made up. So please, work this out with engineering and sales so we can get started.

Jerry

**From:** jjtemple@gmail.com [mailto:jjtemple@gmail.com] **On Behalf Of** JIM TEMPLE  
**Sent:** Tuesday, October 30, 2007 12:30 PM  
**To:** JERRY SALCHER JR  
**Subject:** Fwd: TSI PR89541

[Quoted text hidden]

**JIM TEMPLE <jim@dntenter.com>**  
To: JERRY SALCHER JR <JERRYJR@rae-corp.com>  
Cc: ADAM MEYER <ADAMM@rae-corp.com>, JOHN JACKSON <JOHNJ@rae-corp.com>

Tue, Oct 30, 2007 at 4:46 PM

engineering dropped this dimension bomb yesterday, i'm on it. if we can get the fans a week earlier, are we back on schedule?

[Quoted text hidden]

**JERRY SALCHER JR <JERRYJR@rae-corp.com>**  
To: JIM TEMPLE <jim@dntenter.com>

Tue, Oct 30, 2007 at 5:20 PM

There is no chance of making 11/26. I have lost too much time. If we don't get started soon, I will not be able to make 12/4.

Jerry

**From:** jjtemple@gmail.com [mailto:jjtemple@gmail.com] **On Behalf Of** JIM TEMPLE  
**Sent:** Tuesday, October 30, 2007 3:46 PM

[http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A\(adamm%40ra...](http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A(adamm%40ra...) 3/13/2008

JIM TEMPLE <jim@ntenter.com>

To: JERRY SALCHER JR <JERRYJR@rae-corp.com>

Tue, Oct 30, 2007 at 5:26 PM

[REDACTED]  
i don't understand, what happened. was any effort made?  
[REDACTED]

JIM TEMPLE <jim@ntenter.com>

To: ERIC SWANK <ERICSW@rae-corp.com>

Tue, Oct 30, 2007 at 5:30 PM

[REDACTED]  
all the same players are involved on 200 5th and NYU 838 and our inability to produce shp drawings in four weeks was brought up at the 200 5th meeting. when we now miss the ship date, we are 0-2.  
[REDACTED]

[Quoted text hidden]

JERRY SALCHER JR <JERRYJR@rae-corp.com>

To: JIM TEMPLE <jim@ntenter.com>

Wed, Oct 31, 2007 at 1:02 PM

Jim,

I told you upfront that I could not commit to a ship date of 11/26, and that if making that date is a deal breaker, I would NOT commit to it. I told you we would try and do everything we could to make that date, but everything had to go perfect for us to have any chance. Our vendor on [REDACTED] originally told us they could ship on 11/9, they have since moved their date to 11/16. We told them we had to have 11/9, but they said they can not ship until 11/26.

Also, you changed the order and sent in a revised PO on 10/11. At that time engineering was close to completing the drawings and the design work. The addition of [REDACTED] on the revised PO stopped engineering from completing the design of the units. Engineering was working with the vendor [REDACTED] on the size of [REDACTED] and how the addition of [REDACTED] would affect our unit dimensions because of the change in pressure drops and velocities. Engineering then had to incorporate these changes into the design, as the addition of [REDACTED] did change the number of dampers required.

RAE Corporation has made every effort to ship this order by 11/26. Unfortunately, we were not able to make that date. The only date I have given a commitment to ship is 12/4, which is the date on our acknowledgement. And as I stated in my earlier e-mail, that date is in jeopardy due to us waiting for drawing approval.

Jerry

**JIM TEMPLE <jim@dntenter.com>**  
To: JERRY SALCHER JR <JERRYJR@rae-corp.com>

**Wed, Oct 31, 2007 at 2:02 PM**

jerry

[REDACTED] were in the original design and they were removed. her is what i told adam when we added them back in:

*see attached PO, revised to add [REDACTED] back in. please order these right away but if they will hold the order up i want them shipped loose. if they are going to hold the order, please let me know as soon as you know.*

[REDACTED]  
engineering should not be able to throw an entire order off line because they [REDACTED] and [REDACTED] additionally, they have no excuse to take almost 3 weeks to make these small changes to the drawings. this whole operation is putting us in jeopardy on the 200 5th project; the common GC has lost confidence in us when he previously encouraged the owner to work with us. [REDACTED]

I know that you did not guarantee the delivery as we didn't either, but you committed to put you best effort. 4 weeks for shop drawing is not TSI's best effort.

jim

[Quoted text hidden]

**ERIC SWANK <ERICS@rae-corp.com>**  
To: jim@dntenter.com

**Thu, Nov 1, 2007 at 9:36 AM**

Jim,

You told me yesterday that this job wasn't causing a problem on 200 5th Ave?

Eric

**From:** JERRY SALCHER JR  
**Sent:** Thursday, November 01, 2007 7:47 AM  
**To:** ERIC SWANK  
**Subject:** FW: TSI PR89541

FYI

**From:** jjtemple@gmail.com [mailto:jjtemple@gmail.com] **On Behalf Of** JIM TEMPLE  
**Sent:** Wednesday, October 31, 2007 1:03 PM

[Quoted text hidden]

To: ERIC SWANK <ERICS@rae-corp.com>

Case 1:07-cv-08661-LLS Document 14-4 Filed 04/01/2008 Page 18 of 25

i told you yesterday taht the GC mentioned our delayed shop drawings at a meeting. i may have made more of the situation because i didn't feel like we tried to make the requested ship date and if the decision on 200 5th does drag past 11-26 (the requested date for NYU 838), it will cause a problem. luckily, i expect a decision before then.

[Quoted text hidden]

ADAM MEYER <ADAMM@rae-corp.com>

Fri, Nov 2, 2007 at 11:57 AM

To: JIM TEMPLE <jim@dntenter.com>

Cc: JERRY SALCHER JR <JERRYJR@rae-corp.com>, ERIC SWANK <ERICS@rae-corp.com>

Jim,

Re: louvers,

I understand that the louvers were in the original design; however, you know that we do not fully design the metal and modeling of our units until after production release. The difficulties caused by adding the louvers ~~extended to the plenum and the piping of the dampers~~ Without the louvers, velocities were sized for the typical ~~section~~. With the louvers, we cannot use more ~~inches~~ This changed the framing of the openings and changed the sheet metal design for the units in that section which had to be revised for fit.

Re: difference in size,

You can also understand that when we quoted the project, we were moving very quickly to generate a rough layout drawing based on our catalog dimensions. Once production began, my intent was to reduce production time as much as possible by reducing size and using a more efficient use of space. The decreased length was due to rotating the [REDACTED] (which we discussed), and by [REDACTED] which we could not until the [REDACTED] was fully designed. As [REDACTED] will [REDACTED] our vendor has delivered the [REDACTED]. We also changed both unit sizes to the same footprint in order to again reduce time required and decrease production time.

Per your original note, if the delivery [REDACTED] affect the ship date, they will be shipped loose. Because of this, I do not believe they will affect the ship date; however they did affect the time required for you to get your drawings.

Adam Meyer

## Account Manager - RAE Corporation

JIM TEMPLE <jim@dntenter.com>

Fri, Nov 2, 2007 at 12:14 PM

To: ADAM MEYER <ADAMM@rae-corp.com>

Cc: JERRY SALCHER JR <JERRYJR@rae-corp.com>, ERIC SWANK <ERICSW@rae-corp.com>

[Redacted]  
ease up with these long winded e-mails. the bottom line is 4.5 weeks is a long time for shop drawings. or if you claim [redacted] changed the whole design, 3 weeks from when [redacted] were added back in is still a long time for a job with a required urgency.

[Redacted]

[Quoted text hidden]

JIM TEMPLE <jim@dntenter.com>

Fri, Nov 9, 2007 at 5:25 PM

To: JOHN JACKSON <JOHNJ@rae-corp.com>

please send [redacted] fan curves and were the coils released [redacted] for [redacted] dated 9-4. if not send the [redacted] fan curves.

[Quoted text hidden]

13 messages

**JIM TEMPLE <jim@dntenter.com>**

To: ADAM MEYER &lt;ADAMM@rae-corp.com&gt;

**Tue, Oct 30, 2007 at 9:54 AM**

adam  
please quote the attached chiller there are [REDACTED] with one central control panel. i need this quote today. we must be competitive with [REDACTED].

jim

**2 attachments** **KMBT25020071026154113.pdf**  
77K **200 5TH - CIPRIANI water cooled chiller 410a.doc**  
31K**ADAM MEYER <ADAMM@rae-corp.com>**

To: JIM TEMPLE &lt;jim@dntenter.com&gt;

**Tue, Oct 30, 2007 at 10:13 AM**

I will not be able to quote this today.

Also, I doubt I will be competitive in direct competition with [REDACTED]

Thanks,

Adam

**From:** jjtemple@gmail.com [mailto:[jjtemple@gmail.com](mailto:jjtemple@gmail.com)] **On Behalf Of** JIM TEMPLE

**Sent:** Tuesday, October 30, 2007 8:55 AM

**To:** ADAM MEYER

**Subject:** cipriani - 200 5th

adam,

[http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A\(adamm%40ra...](http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A(adamm%40ra...) 3/13/2008

jim

**JIM TEMPLE <jim@dntenter.com>**  
To: ADAM MEYER <ADAMM@rae-corp.com>

Tue, Oct 30, 2007 at 10:21 AM

amerada hess had [REDACTED] modules that all split into [REDACTED] modules. can i take half of the hess price. i don't want the [REDACTED] electronic expansion [REDACTED], that should more than cover the change to [REDACTED] which is really very little.

Jim

[Quoted text hidden]

**JIM TEMPLE <jim@dntenter.com>**  
To: ADAM MEYER <ADAMM@rae-corp.com>

Tue, Oct 30, 2007 at 3:16 PM

as per our conversation we will carry [REDACTED] the short notice, but i would like you to tighten your number as half of hess [REDACTED] for the panel is [REDACTED]. the components are the same minus the [REDACTED]'s plus the [REDACTED]; a wash in your favor.

jim

[Quoted text hidden]

**JIM TEMPLE <jim@dntenter.com>**  
To: ADAM MEYER <ADAMM@rae-corp.com>

Tue, Oct 30, 2007 at 3:27 PM

correction hess was [REDACTED], half + \$0.500 is only [REDACTED] you are 25% high from before.

[Quoted text hidden]

**ADAM MEYER <ADAMM@rae-corp.com>**  
To: JIM TEMPLE <jim@dntenter.com>

Tue, Oct 30, 2007 at 4:12 PM

Hold tight. I am running some numbers.

Adam Meyer

Account Manager - RAE Corporation

Desk: (918) 825-7222

**Case 1:07-cv-08661-JJS Document 14-4 Filed 04/01/2008 Page 22 of 25**

To: ADAM MEYER

Subject: Re: cipriani - 200 5th

[Quoted text hidden]

**ADAM MEYER <ADAMM@rae-corp.com>**  
To: JIM TEMPLE <jim@dntenter.com>

**Tue, Oct 30, 2007 at 5:36 PM**

(5) [REDACTED]

\$100,000 Net + freight

**Performance per the attached form from you.**

**Control panel will be furnished [REDACTED] of the trailer skid, [REDACTED] Terms and conditions are attached.**

**Thanks,**

Adam Meyer

Account Manager - RAE Corporation

Desk: (918) 825-7222

Cell: (918) 384-9602

**From:** jjtemple@gmail.com [mailto:jjtemple@gmail.com] **On Behalf Of** JIM TEMPLE  
**Sent:** Tuesday, October 30, 2007 2:28 PM  
**To:** ADAM MEYER  
**Subject:** Re: cipriani - 200 5th

[Quoted text hidden]

[http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A\(adamm%40ra...](http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A(adamm%40ra...) 3/13/2008

JIM TEMPLE <jim@ntenter.com>

Tue, Oct 30, 2007 at 5:43 PM

To: ADAM MEYER <ADAMM@rae-corp.com>, ERIC SWANK <ERICs@rae-corp.com>

as per our conversation, your price is \$[REDACTED].

thanks for making me wait 2 hours and miss the bid to have an unjustified price \$[REDACTED] and 20% high than the same job we just did.

how do you expect us to close jobs when you raise prices with no rhyme or reason? ([REDACTED] from the catalog are \$[REDACTED]. we switch from [REDACTED] and [REDACTED] to [REDACTED] and to price nearly doubles. it was high when you added 50% to the standard price, 87% is just absurd. please explain the motive behind this new price structure.

[Quoted text hidden]

ADAM MEYER <ADAMM@rae-corp.com>

Wed, Oct 31, 2007 at 2:23 PM

To: JIM TEMPLE <jim@ntenter.com>

Cc: ERIC SWANK <ERICs@rae-corp.com>

Confirming our phone conversation the price for what you had requested is \$[REDACTED]. This is higher than the project (Amerada Hess) we just completed and shipped for you, but you did request changes to that design and you left me with little to no time to respond...essentially demanding same day if not within the same hour quote.

I do my very best to accommodate any urgent request you send me but it is at the sacrifice of our representatives that send in inquiries with an adequate timeframe in which to respond. With that said, the differences you requested entail a design change from [REDACTED] to 410a. The operating pressures are significantly higher and will force changes to our valve selections and piping design. This costs more! In addition, the Amerada Hess project had [REDACTED] controllers for [REDACTED] compressors, this project would have (1) controller for [REDACTED] compressors. This also contributes to the perception that costs have increased.

We do not raise prices without reason. You did not request [REDACTED], you requested a custom piece of equipment. If you can sell our standard [REDACTED] unit out of the catalog the price is as you indicate... approximately \$[REDACTED]. Be advised it is not the same configuration nor is it designed for the [REDACTED] refrigerant nor is it the same in configuration and dimensions.

When we are chasing other company's specifications in lieu of being the basis of design you put us in the position of matching another company's layout and designs. Perhaps you need to work on design basis in lieu of chasing work laid out by Others.

Desk: (918) 825-7222

Cell: (918) 384-9602

**From:** jjtemple@gmail.com [mailto:jjtemple@gmail.com] **On Behalf Of** JIM TEMPLE  
**Sent:** Tuesday, October 30, 2007 4:44 PM  
**To:** ADAM MEYER; ERIC SWANK  
**Subject:** Re: cipriani - 200 5th

[Quoted text hidden]

**JIM TEMPLE <jim@ntenter.com>**  
To: ADAM MEYER <ADAMM@rae-corp.com>  
Cc: ERIC SWANK <ERICs@rae-corp.com>

**Wed, Oct 31, 2007 at 3:03 PM**

i designed the job on friday and discussed the options with you at that time. i'll send you the spec if you would like. the contractor was originally getting quotes from ██████████ and ██████████ as a direct replacement, no engineer. when the contractor was having trouble, the engineer was brought on and he specified us. not specified by Others, but i did let you know that Others will be involved.

As far as the price of R█████ vs P█████ florida boat pump has an entire catalog of ██████████ and ██████████ equal products and the prices are nearly identical.

i wish i had the power to control the NY market enough to slow them down for you. when we design a job that is bid two business days later, we are stuck moving fast.

either way, lets not waste too much time on this, your 10-12 week lead time doesn't work with the project. i will know for sure in 24hrs.

(Quoted text hidden)

**ADAM MEYER <ADAMM@rae-corp.com>**  
To: JIM TEMPLE <jim@ntenter.com>  
Cc: ERIC SWANK <ERICs@rae-corp.com>

**Fri, Nov 2, 2007 at 1:13 PM**

When you are put into a position of responding in the below mentioned time frame to your customer it will, in most cases, reduce cost and improve lead times if we can use our standard product offering.

I can not comment to what other companies do with their product offering in terms of changes in refrigerant. We do not have a cataloged ██████████ product perhaps the costing will be comparable to the ██████████ offering once we have completed the engineering and cataloged the equipment but until that time you should anticipate

Adam Meyer

Account Manager - RAE Corporation

Desk: (918) 825-7222

Cell: (918) 384-9602

**From:** jjtemple@gmail.com [mailto:[jjtemple@gmail.com](mailto:jjtemple@gmail.com)] **On Behalf Of** JIM TEMPLE

**Sent:** Wednesday, October 31, 2007 2:03 PM

**To:** ADAM MEYER

**Cc:** ERIC SWANK

[Quoted text hidden]

[Quoted text hidden]

**JIM TEMPLE <jim@dntenter.com>**

To: ADAM MEYER <ADAMM@rae-corp.com>

Cc: ERIC SWANK <ERICCS@rae-corp.com>

**Fri, Nov 2, 2007 at 8:13 PM**

i beleive they are awarding it monday or tuesday. feedback i got is our price is high. now you have more time, can you sharpen your number and i will try to sway them on monday.

[Quoted text hidden]

**JIM TEMPLE <jim@dntenter.com>**

To: "DNTENTER@aol.com" <dntenter@aol.com>

**Mon, Dec 3, 2007 at 1:18 PM**

----- Forwarded message -----

From: **JIM TEMPLE <jim@dntenter.com>**

Date: Oct 30, 2007 4:43 PM

Subject: Re: cipriani - 200 5th

[Quoted text hidden]

[Quoted text hidden]

[http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A\(adamm%40ra...](http://mail.google.com/mail/?ui=2&ik=74c3584fdd&view=pt&q=from%3A(adamm%40ra...) 3/13/2008